



ARAQMD
Protecting our Air

AKRON REGIONAL AIR QUALITY MANAGEMENT DISTRICT

Agent of the Ohio Environmental Protection Agency * A Service of Summit County Public Health * Serving Medina, Portage and Summit Counties

Telephone: (330) 375-2480 * Fax: (330) 752-7792
araqmd@schd.org

Sam Rubens, MPA, R.S.
Administrator

May 9, 2017

CERTIFIED MAIL

Ronald McGregor
Ferriot Inc.
1000 Arlington Circle
Akron, Ohio 44306

**Re: Ferriot Inc.
Notice of Violation (NOV)
Air Permit
Summit County
1677011093**

Subject: Notice of Violation

Dear Ronald McGregor:

Thank you for accompanying me during Akron Regional Air Quality Management District's ("ARAQMD's") May 3, 2017 inspection of Ferriot, Inc. ("Ferriot") in Akron, Ohio. The goal of our inspection was to determine your facility's compliance with Ohio's Division of Air Pollution Control laws as found in Chapter 3704 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC) and the terms and conditions of Ferriot's federally enforceable permits-to-install and operate (FEPTIOs) P0103966 and P0115551 issued on December 18, 2008 and November 4, 2014, respectively. My inspection included a review of company operations and written documentation associated with facility operations.

Findings

ARAQMD observed the following violations of Ohio's Division of Air Pollution Control and Ferriot's permit terms and conditions. In order to bring your facility into compliance, we recommend promptly addressing these violations that have not already been resolved within 15 days of your receipt of this letter.

1. Permit terms and conditions C.1.d)(2) and C.2.d)(2) of FEPTIOs P0103966 and P0115551:

"The permittee shall collect and record monthly the following facility-wide information (from all emissions units at the facility) to determine the facility-wide emissions of VOCs, each individual HAP, and combined HAPs:

- a. *The company identification for each coating and cleanup/purge material employed.*

- b. The number of gallons of each coating and cleanup/purge material employed.*
- c. The VOC content of each coating and cleanup/purge material, in pounds of VOCs/gallon of respective coating or cleanup/purge material.*
- d. The individual HAP content for each individual HAP of each coating and cleanup/purge material, in pounds of individual HAP/gallon of respective coating or cleanup/purge material.*
- e. The combined HAPs content of each coating and cleanup/purge material, in pounds of combined HAPs/gallon of respective coating or cleanup/purge material.*
- f. The total VOC emissions from all the coatings and cleanup/purge materials employed, in tons, i.e., the sum of $[(b * c)/2000]$, respectively, for all coatings and cleanup/purge materials employed.*
- g. The total individual HAP emissions for each individual HAP from all the coatings and cleanup/purge materials employed, in tons, i.e., the sum of $[(b * d)/2000]$, respectively, for all coatings and cleanup/purge materials employed.*
- h. The total combined HAPs emissions from all the coatings and cleanup/purge materials employed, in tons, i.e., the sum of $[(b * e)/2000]$, respectively, for all coatings and cleanup/purge materials employed.*
- i. The rolling, 12-month individual HAP and combined HAP emissions, in tons.*
- j. The rolling 12-month facility wide VOC emissions, in tons."*

(a) Description of Violation:

- i. From May 2012 to present, the facility failed to maintain the individual hazardous air pollutant (HAP) content, the individual HAP emissions each month in tons, the rolling 12-month combined HAPs emissions and the rolling, 12-month individual HAP emissions as required by Emissions Unit Terms and Conditions C.1.d)(2) and C.2.d)(2) of FEPTIOs P0103966 and P0115551 for emissions units R001 through R007 and R010.*

- ii. From November 2014 until August 2016, the facility failed to maintain the rolling, 12-month VOC emissions as required by Emissions Unit Terms and Conditions C.1.d)(2) and C.2.d)(2) of FEPTIO P0115551 for emissions units R001 through R007 and R010.

Additionally, the spreadsheet the facility created to determine the rolling, 12-month VOC emissions is subtracting out the cleanup/purge material that is being reclaimed but does not add in the amount of cleanup/purge material that was used which would underestimate the VOC emissions.

(b) Requested Actions:

ARAQMD requests that Ferriot develop the appropriate record keeping system to ensure that all the required information is being collected and recorded accurately in accordance with their FEPTIOs. Please submit a sample of the record keeping and any records that could be recreated to this Agency within 15 days of the receipt of this letter. If any information is considered to be a trade secret, please submit a public and a trade secret version of the record keeping along with the trade secret justification.

2. Permit terms and conditions C.1.d)(1) and C.2.d)(1) of FEPTIO P0115551:

"The permittee shall collect and record the following information facility-wide each day.

- a. The company identification of each coating and cleanup/purge material used.*
- b. The number of gallons of each coating and cleanup/purge material used.*
- c. The VOC content of each coating and cleanup/purge material used, in pounds of VOCs/gallon of respective coating and cleanup/purge material.*
- d. The total hours of operation (sum of hours of all emission units)*
- e. The average hourly emissions from all the coatings and cleanup/purge materials used, in pounds of VOCs/hr, i.e., the $[b * c]/d$, respectively, for all coatings and cleanup/purge materials used."*

(a) Description of Violation:

From November 2014 to present, Ferriot failed to collect and record the total hours of operation (sum of hours of all emissions units) and the average hourly emissions for all coatings and cleanup/purge materials used for emissions units R001 through R007 and R010.

(b) Requested Actions:

ARAQMD requests that Ferriot develop the appropriate record keeping system to ensure that all the required information is being collected and recorded in accordance with FEPTIO P0115551. Please submit a sample of the record keeping and any records that could be recreated to this Agency within 15 days of the receipt of this letter. If any information is considered to be a trade secret, please submit a public and a trade secret version of the record keeping along with the trade secret justification.

3. Permit terms and conditions C.1.b)(2)c., C.1.b)(2)d., C.1.d)(7), C.2.b)(2)c., C.2.b)(2)d. and C.2.d)(7) of FEPTIO P0115551:

"The owner or operator shall conduct periodic inspections of the control devices (overspray system) to determine whether the devices are operating in accordance with the manufacturer's recommendations, instructions, or operating manuals with any modifications deemed necessary by the owner or operator. The periodic inspections of each control device shall be performed at a frequency that is based upon the recommendation of the manufacturer of the control device, and the owner or operator shall maintain a copy of the manufacturer's recommended inspection frequency. In addition to these periodic inspections, not less than once each calendar year the owner or operator shall conduct a comprehensive inspection of the control device while the emissions unit is shut down and perform any needed maintenance and repair for the control device to ensure that it is able to routinely operate in accordance with the manufacturer's recommendations.

The owner or operator shall document each inspection of the control devices by maintaining a record that includes the date of the inspection, a description of each problem identified and the date it was corrected, a description of the maintenance and repairs performed, and the name of the person who performed the inspection."

(a) Description of Violation:

From November 2014 to present, Ferriot failed to conduct and record the periodic inspections of the control devices (overspray system) for emissions units R001 through R007 and R010.

(b) Requested Actions:

ARAQMD requests that Ferriot begin conducting the required periodic inspections and develop the appropriate record keeping system to document these inspections in accordance with FEPTIO P0115551. Please submit a sample of the record keeping to this Agency within 15 days of the receipt of this letter. If any information is considered to be a trade secret, please submit a public and a trade secret version of the record keeping along with the trade secret justification.

4. OAC Rule 3745-21-26(G)(1):

"The owner or operator of a coating line subject to this rule shall demonstrate the ongoing status of compliance with the applicable VOC emission limitations or control requirements by means of one of the recordkeeping and reporting requirement alternatives specified in paragraph (B)(3) of rule 3745-21-09 of the Administrative Code."

OAC Rule 3745-21-09(B)(3)(f):

"Any owner or operator of a coating line or printing line who elects to demonstrate the ongoing status of compliance with the applicable emission limitation by means of the use of complying coatings (i.e., each coating complies with the applicable emission limitation as applied) shall collect and record the following information each month and maintain the information at the facility for a period of three years:

(i) The name and identification number of each coating, as applied.

(ii) The mass of VOC per volume of each coating (excluding water and exempt solvents), as applied.

This information does not have to be kept on a line-by-line basis. Also, if an owner or operator mixes complying coatings at a coating line, it is not necessary to record the VOC content of the resulting mixture."

(a) Description of Violation:

From October 2016 to present, Ferriot failed to collect and record the volatile organic compound (VOC) content, as applied, each month for the coatings employed for emissions units R001 through R007 and R010.

(b) Requested Actions:

ARAQMD requests that Ferriot develop the appropriate record keeping system to ensure that all the required information is being collected and recorded in accordance with OAC rule 3745-21-26(G)(1) and OAC rule 3745-21-09(B)(3)(f). Please submit a sample of the record keeping and any records that could be recreated to this Agency within 15 days of the receipt of this letter. If any information is considered to be a trade secret, please submit a public and a trade secret version of the record keeping along with the trade secret justification.

5. OAC Rule 3745-15-03(D), *"each permit described under paragraph (B)(2) of OAC rule 3745-15-03 shall require the owner or operator to submit a permit evaluation report, in a form and manner prescribed by the director..."*

(a) Description of Violation:

Ferriot failed to report the record keeping deviation in Finding #1(a)i. in the annual Permit Evaluation Reports (PERs) for calendar years 2012 through 2016, due February 15th of each year.

Ferriot failed to report the monitoring and record keeping deviations in Findings #1(a)ii., #2 and #3 in the annual Permit Evaluation Reports (PERs) for calendar years 2014 through 2016, due February 15th of each year.

(b) Requested Actions:

ARAQMD requests that Ferriot resubmit the annual PERs for 2012 through 2016 to include the above-mentioned monitoring and record keeping deviations within 15 days of your receipt of this letter.

The violations listed above also constitute a violation of ORC 3704.05(C) which states:

"No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."

Ronald McGregor
Ferriot Inc.
May 9, 2017
Page 7

Conclusion

The Ohio EPA requests that Ferriot promptly undertake the necessary measures to return to compliance with Ohio's environmental laws and regulations. Within 15 days of receipt of this letter, Ferriot please provide documentation to Ohio EPA of the actions taken to resolve the violations cited above. If you have already resolved the violations listed above, thank you, and please provide documentation supporting compliance. If you have not yet addressed the violations, please submit a compliance plan on how the company plans to correct the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to lmiracle@schd.org.

Failure to comply with Chapter 3704 of the Ohio Revised Code and rules promulgated thereunder may result in an administrative or civil penalty. If circumstances delay resolution of violations, Ferriot is requested to submit written correspondence describing the steps that will be taken by date certain to attain compliance.

Please note that the submission of any requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek administrative or civil penalties as provided in Section 3704.06 of the Ohio Revised Code.

Should you have any questions, please contact me at (330) 812-3953 or e-mail lmiracle@schd.org.

Sincerely,



Laura Miracle
Air Quality Engineer
Akron Regional Air Quality Management District

ec: John Paulian/James Kavalec, DAPC/CO
Sam Rubens/Duane LaClair, ARAQMD
Brian Dickens, USEPA Region V